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RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: TELECOMMUNICATIONS SYSTEM SIMULTANEOUSLY RECEIVING AND MODULATING AN OPTICAL SIGNAL
the specification of which (check applicable box(es)):

☐ is attached hereto.

☐ was filed on _____ as U.S. Application Serial No. _____

☒ was filed as PCT international application No. PCT/ GB97/01958 on 21 July 1997

and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s):
Application Number

Country

Day/Month/Year Filed

96305315.2

EUROPE

19 July 1996

9624909.9

GREAT BRITAIN

29 November 1996

9710394.9

GREAT BRITAIN

20 May 1997

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number

Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s):
Application Serial No.

Day/Month/Year Filed

Status: patented,
pending, abandoned

PCT/GB97/01958

21 July 1997

PENDING

I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Paul J. Henon, 33626; Jeffrey H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam Jr., 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; William J. Griffith, 31260; Robert A. Molan, 29834.

1. Inventor's Signature: L.D. Westbrook Date: 17 March 1998
Inventor: LESLIE D WESTBROOK BRITISH
(first) MI (last) (citizenship)
Residence: (city) SOUTHAM, CHELTENHAM (state/country) GREAT BRITAIN
Post Office Address: 20 A RATCLIFF LAWNS, SOUTHAM, CHELTENHAM, GREAT BRITAIN
(Zip code) GL52 3PA

2. Inventor's Signature: D. Moodie Date: 25 March 1998
Inventor: DAVID G MOODIE BRITISH
(first) MI (last) (citizenship)
Residence: (city) IPSWICH, SUFFOLK (state/country) GREAT BRITAIN
Post Office Address: 118 HENSLOW ROAD, IPSWICH, SUFFOLK, GREAT BRITAIN
(Zip code) IP4 5EJ

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with the same information and signature and date for each.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AUGUST 15, 2003

PTAS

MORRISON & FOERSTER LLP
MEHRAN ARJOMAND
555 WEST FIFTH STREET, SUITE 3500
LOS ANGELES, CA 90013



700040302A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/14/2003

REEL/FRAME: 013877/0325
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BRITISH TELECOMMUNICATIONS PUBLIC
LIMITED COMPANY

DOC DATE: 08/08/2003

ASSIGNEE:

MICROWAVE PHOTONICS, INC.
11845 W. OLYMPIC BOULEVARD #695
LOS ANGELES, CALIFORNIA 90064

SERIAL NUMBER: 10243838
PATENT NUMBER:

FILING DATE: 09/16/2002
ISSUE DATE:

JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08/14/2003

700010302

Form PTO-1595

(Rev. 03/01)

OMB No. 0661-0027 (exp. 8/31/2002)

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

British Telecommunications public limited company

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: 08/08/2003; 08/13/2003

2. Name and address of receiving party(ies)

Name: Microwave Photonics, Inc.

Internal Address:

Street Address:

11845 W. Olympic Boulevard #695

City: Los Angeles, California

Country: USA

Zip: 90064

Additional name(s) & address(es) attached:

☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is:

A. Patent Application No.(s): 10/243,838 (filed: 09/16/02)

See attached
Schedule A

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mehran Arjomand
MORRISON & FOERSTER LLP

Internal Address: Atty. Dkt.: 556592000101

Street Address:

655 West Fifth Street, Suite 3500

City:

Los Angeles

State:

CA

Zip:

90013

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41)

\$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account☐ Authorized to be charged to credit card
(Form 2038 enclosed)

8. Deposit account number:

03-1952

(Attach duplicate copy of this page if paying by deposit account)

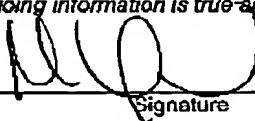
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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mehran Arjomand - 48,231

Name of Person Signing



Signature

August 14, 2003

Date

Total number of pages including cover sheet, attachments, and documents: 4

I hereby certify that this correspondence is being transmitted by facsimile to the following telephone number: 703-306-6995 and addressed to: M/S Assignment, Recordation Services, Director - U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 14, 2003

Signature:  (Katrin Kauffmann)

CH \$40.00 031952 10243838

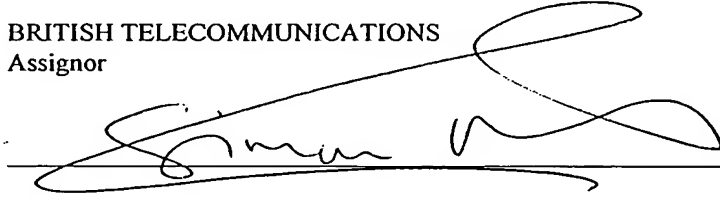
MEMORANDUM OF ASSIGNMENT

WHEREAS, MICROWAVE PHOTONICS, INC., a Delaware corporation, with a place of business at 11845 W. Olympic Boulevard, #695, Los Angeles, California, USA 90064 (hereinafter referred to as the assignee), acquired the entire right, title and interest in and to the issued patents, patent applications and proposed patent applications in respect of inventions which appear on the accompanying Schedule A from BRITISH TELECOMMUNICATIONS public limited company, with a registered office at 81 Newgate Street, London EC1A 7AJ, England, pursuant to a certain Assignment And Licence Back Of Patents And Patent Applications, dated March 31, 2003; and

WHEREAS, the assignee seeks to record the assignment in various Patent Offices:

NOW, THEREFORE, the assignor and the assignee execute this Memorandum of Assignment to reflect the assignment.

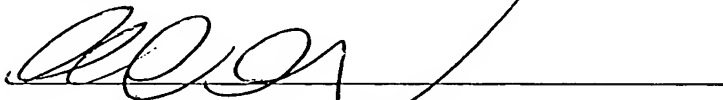
BRITISH TELECOMMUNICATIONS
Assignor



Date August 8, 2003

Name: Simon Christopher Roberts
Title: Head of Patents Division

MICROWAVE PHOTONICS, INC.
Assignee



Date August 13, 2003

Name: Maurizio Vecchione
Title: President/CEO

Attorney Docket No.: 55659-28000.00

SCHEDULE A
MICROWAVE PHOTONICS, INC.

Country	App. No.	Filing Date	Pat. No.	Issue Date	Title	Inventors
USA	09/051,147	04/02/1998	6,525,855 B1	02/25/2003	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
USA (Cont.)	10/243,838	09/16/2002			Telecommunications System	Leslie D. Westbrook David G. Moodie
Australia	97/36277	07/21/1997	717824	07/20/2000	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Canada	2,253,413	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
China	97196551.X	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Great Britain	9822820.8	07/21/1997	2 327 164	09/06/2000	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Japan	506699/98	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Korea	710453/1998	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
New Zealand	332463	07/21/1997	332463	01/11/2001	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Singapore	9805570-0	07/21/1997	60421	04/17/2001	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Europe	97932909.1	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
USA	08/051,949	04/26/1993	5,949,564	09/07/1999	Transducer	David Wake
Australia	60086/94	02/16/1994	686133	07/09/1998	An Optoelectric Transducer	David Wake
Canada	2,156,429	02/16/1994	2,156,429	05/16/2000	An Optoelectric Transducer	David Wake
Japan	519684/94	02/16/1994			An Optoelectric Transducer	David Wake
Belgium	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake

Country	Application No.	Filing Date	Patent No.	Issue Date	Title	Inventors
Switzerland	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Germany	94906334.1	02/16/1994	DE 694 14 355 T2	11/11/1998	An Optoelectric Transducer	David Wake
Spain	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
France	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Great Britain	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Italy	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Netherlands	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Sweden	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Great Britain	0309924.9	04/30/2003			Access Point	Peter Paul Smyth
Great Britain	0307434.1	03/31/2003			Network	Peter David Ransome James Laurence Taylor Peter Paul Smyth
Denmark	00879/1991	11/10/1989			Communications System	Andrew James Motley Anthony Gerard Chadney
Hong Kong	89912477.0	11/10/1989	1364/1996	07/25/1996	Communications System	Andrew James Motley Anthony Gerard Chadney
Netherlands	89912477.0	11/10/1989	0 444 067 B2	03/30/1994	Communications System	Andrew James Motley Anthony Gerard Chadney
Sweden	89912477.0	11/10/1989	0 444 067 B2	03/30/1994	Communications System	Andrew James Motley Anthony Gerard Chadney
Singapore	9691652	07/09/1996	9691652-3	08/15/1996	Communications System	Andrew James Motley Anthony Gerard Chadney
New Zealand	231332	11/09/1989	231332	02/05/1993	Communications System	Andrew James Motley Anthony Gerard Chadney

REVOCATION OF POWER OF ATTORNEY and APPOINTMENT OF NEW POWER OF ATTORNEY	Application Number	10/243,838
	Filing Date	September 16, 2002
	First Named Inventor	Leslie D. WESTBROOK et al.
	Art Unit	2633
	Examiner Name	Hanh Phan
	Attorney Docket Number	556502000101

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners at Customer Number:

25224

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with Customer Number:

25224

OR

☐ Firm or Individual Name **Mehran Arjomand - 48,231 Morrison & Foerster LLP**

Address **555 West Fifth Street**

City **Los Angeles**

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State

CA

Zip

90013

Telephone **213-892-5630**

Fax

213-892-5454

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/06)

SIGNATURE of Applicant or Assignee of Record

Name **MICROWAVE PHOTONICS, INC.**

Signature



(Maurizio Vecchione, Chief Executive Officer)

Date

November 26, 2003

Telephone

310-445-6444

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐

*Total of _____ forms are submitted.

LA-894357